UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF WASHINGTON

In re: John Alan De Arman		Case No. 21-10809		
		CHAPTER 13 PLAN		
		Original	2nd AMENDED	
	Debtor(s).	Date: August 30, 2021		
I.	Disclosure of Nonstandard Provisions and Plan's Mod	lification of Secured Debt:		
	A. Does this plan contain any nonstandard provisions (cl. X Yes No B. Does this plan limit the amount of a secured claim bas (check one)? Yes X No	ed on a valuation of the collater	al for the claim	
	C. Does this plan avoid a security interest or lien (check of Yes	one)?		
languag interest	X No ebtor has either not indicated "yes" in the applicable section e in this plan purporting to limit the amount of a secured coor lien is void. Even if the Debtor indicated "no" in Section claim based on a valuation of the collateral for the claim of ing.	laim based on a valuation of the n 1.B or Section 1.C, the Debto	e collateral or to avoid a security or may seek to limit the amount of a	
II.	Means Test Result and Plan Duration:			
	Debtor is (check one): X a below median income debtor with a 36 month an above median income debtor with a 60 month		I	
of allow	n's length shall not be less than the Debtor's applicable coved unsecured claims over a shorter period or is modified pength shall automatically be extended up to 60 months after	ost-confirmation. If the Debtor	is below median income, then the	
1II. No	Plan Payments to the Trustee: later than 30 days after the order for relief, the Debtor shale. A. AMOUNT: \$\(\frac{1}{8}\) 1,850.00 B. FREQUENCY (check one): \[\frac{\frac{X}}{}\] Monthly \[\text{Twice per month} \] Every two weeks Weekly	Il commence making payments	to the Trustee as follows:	
	C. TAX REFUNDS: The Debtor (check one): X commits all tax refunds to funding the planamount stated above.	Committed refunds shall be pa	id in addition to the plan payment	
	does not commit; all tax refunds to funding the D. PAYMENTS: Plan payments shall be deducted or ordered by the Court.			
	E. OTHER:			

${\bf IV.} \ \underline{\bf Distribution} \ {\bf of} \ {\bf Plan} \ {\bf Payments} \ {\bf by} \ {\bf the} \ {\bf Trustee} \hbox{:}$

[Local Bankruptcy Form 13-4, eff. 12/17]

Upon confirmation of the plan, the Trustee shall disburse funds received in the following order and creditors shall apply them accordingly, provided that disbursements for domestic support obligations and federal taxes shall be applied according to applicable non-bankruptcy law:

- ADMINISTRATIVE EXPENSES: A.
 - 1. Trustee. The percentage set pursuant to 28 USC §586(e).
 - 2. Other administrative expenses. As allowed pursuant to 11 USC §§ 507(a)(2) or 707(b).
 - 3. The Debtor's Attorney's Fees: Pre-confirmation attorney's fees and/or costs and expenses are estimated to be

\$ 4,000.00 . **\$ 2,000.00** was paid prior to filing.

Approved attorney compensation shall be paid as follows (check one):

- a. __ Prior to all creditors
- b. __ Monthly payments of \$
- c. All remaining funds available after designated monthly payments to the following creditors: . .
- d. X Other: All attorney fees, including supplemental compensation, shall be paid from all available funds after any fixed monthly payments in Paragraphs IV. B and IV. C. are made

If no selection is made, approved compensation will be paid after the monthly payments specified in Sections IV.B and IV.C.

В.	CURRENT DOMESTIC SUPPORT OBLIGATIONS:			
	Creditor	Monthly amount		
	-NONE-	\$		

C. SECURED CLAIMS: Only creditors holding allowed secured claims specified below or provided in Section X will receive payment from the Trustee. Unless ranked otherwise, payments to secured creditors will be disbursed at the same level. Secured creditors shall retain their liens until the earlier of payment of the underlying debt, determined under nonbankruptcy law, or discharge under 11 U.S.C. § 1328. Secured creditors shall not assess any late charges, provided payments from the plan to the secured creditor are current, subject to the creditor's rights under state law if the case is dismissed.

The interest rates in the plan control except that (a) a lower interest rate included in a creditor's proof of claim shall control; and (b) the interest rate included in a creditor's proof of claim for a claim secured by a mortgage or deed of trust on real property shall control, unless otherwise provided in Section X or ordered following an objection to a proof of claim or in an adversary proceeding. If the interest rate is left blank, the interest rate shall be 12% except that the interest rate for arrearages on claims secured by a mortgage or deed of trust on real property shall be 0%.

For claims secured by personal property, the monthly payment amounts in the plan control.

For claims secured by real property, the monthly payment amounts in the creditor's proof of claim and notice of payment change control unless otherwise provided in Section X.

If overall plan payments are sufficient, the Trustee may increase or decrease post-petition installments for ongoing mortgage payments, homeowner's dues and/or real property tax holding accounts based on changes in interest rates, escrow amounts, dues and/or property taxes.

Payments on Claims, or Non-Escrowed Postpetition Property Tax Holding Accounts, Secured Only by Security Interest in the Debtor's Principal Residence (Interest included in payments at contract rate, if applicable):

Ongoing Payments:

Rank 1	Monthly Paymer \$	1,480.00	Creditor Fay Servicing	Collateral 17247 SE Petrov	/isky l	Road Renton, \	WA 98058	
Cure Pay	ments:							
Rank	Monthly <u>Payment</u>	Creditor		Collateral	1	Arrears to be Cured	Interest Rate	
	s 100*	Fay Servicing	1	17247 SE Petrovisky Road, Renton, WA 98058	\$	83,000*		0 %

Payments on Claims, or Non-Escrowed Postpetition Property Tax Holding Accounts, Secured by Real Property Other than the Debtor's Principal Residence:

[Local Bankruptcy Form 13-4, eff. 12/17]

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Ongoin	g Payments:					
Rank	Monthly Payme \$	nt <u>Creditor</u>	<u>Co</u>	<u>llateral</u>	_	Interest Rate %
	ayments: Monthly				Arrears to be	Interest
Rank	Payment \$	<u>Creditor</u> -NONE-	Colla	<u>iteral</u>	<u>Cured</u> \$	Rate %
	- '				Ψ	
	3.	Payments on Cl	aims Secured by Pe	rsonal Property:		
interest other pe pre-con	in any motor vehicle ersonal property acqui firmation adequate propertion Monthly Payment	ired within one year protection payments shall	nal use of the Debto eceding the filing da Il be paid by the Tru	r within 910 days preate of the petition as a stee in the amounts s	e-money security exceding the filing date of the specified below. The Debt stated as the "Pre-Confirm as specified below after the	or stipulates that ation Adequate
	Monthly	Conditor	Callator	~1	Pre-Confirmation Adequate Protection	Interest
Rank	<u>Payment</u> \$	<u>Creditor</u> -NONE-	<u>Collater</u>	<u>aı</u>	Monthly Payment \$	Rate %
as the "	Pre-Confirmation Ad		thly Payment" or, if		e paid by the Trustee in the ts stated as the "Monthly F	Payment" as
Donk	Monthly	Cuaditan	Value of	Callatoral	Adequate Protection	Interest
Rank	Payment \$	<u>Creditor</u> -NONE-	<u>Collateral</u> \$	<u>Collateral</u>	Monthly Payment \$	Rate %
	E. NONPRIO secured, administrat The Trustee shall pa X100% At least \$	S.C. § 507(a). RITY UNSECURED Control ive and priority unsecutive filed and allowed no	CLAIMS: No funds ared creditors are patential priority unsecured	shall be paid to nongid in full, provided the claims as follows (c.	owed claims entitled to pri priority unsecured creditors nat no claim shall be paid theck one):	s until all pefore it is due.
Rank	Creditor -NONE-	Amount	t of Claim Per	centage to be Paid	Reason for Special Cl	assification

V. <u>Direct Payments to be made by the Debtor and not by the Trustee:</u>

The following claims shall be paid directly by the Debtor according to the terms of the contract or support or withholding order, and [Local Bankruptcy Form 13-4, eff. 12/17]

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shall receive no payments from the Trustee. (Payment stated shall not bind any party.)

A. DIRECT PAYMENT OF DOMESTIC SUPPORT OBLIGATIONS:

-NONE-	Support O \$	Obligation Monthly \$	y Arrearage Payment
В.	OTHER DIRECT PAYMENTS:		
Creditor -NONE-	Nature of Debt	Amount of Claim	Monthly Payment \$

VI. Secured Property Surrendered:

The secured property described below will be surrendered to the following named creditors on confirmation.

The Debtor requests that upon confirmation, each creditor (including successors and assigns) to which the Debtor is surrendering property pursuant to this section be granted relief from the stays of 11 U.S.C. §§ 362(a) and 1301(a) to enforce its security interest against the property including taking possession and sale.

Creditor -NONE-

Property to be Surrendered

VII. Executory Contracts and Leases:

The Debtor will assume or reject executory contracts or unexpired leases as specified below. Assumption will be by separate motion and order, and any cure and/or continuing payments will be paid directly by the Debtor under Section V, unless otherwise specified in the plan. Any executory contract or unexpired lease not assumed pursuant to 11 U.S.C § 365(d) is rejected. If rejected, upon confirmation the creditor is granted relief from the stays of 11 U.S.C. §§ 362(a) and 1301(a) with respect to the property which is the subject of the rejected contract or lease, and any allowed unsecured claim for damages shall be paid under Section IV.E.

Contract/Lease -NONE-

Assumed or Rejected

VIII. Property of the Estate:

Property of the estate is defined in 11 U.S.C. § 1306(a). Unless otherwise ordered by the Court, property of the estate in possession of the Debtor on the petition date shall vest in the Debtor upon confirmation. However, the Debtor shall not lease, sell, encumber, transfer or otherwise dispose of any interest in real property or personal property without the Court's prior approval, except that the Debtor may dispose of unencumbered personal property with a value of \$10,000 or less without the Court's approval. Property (including, but not limited to, bonuses, inheritances, tax refunds or any claim) acquired by the Debtor post-petition shall vest in the Trustee and be property of the estate. The Debtor shall promptly notify the Trustee if the Debtor becomes entitled to receive a distribution of money or other property (including, but not limited to, bonuses, inheritances, tax refunds or any claim) with a value in excess of \$2,500, unless Section X specifically provides for the Debtor to retain the money or property.

IX. Liquidation Analysis Pursuant to 11 USC § 1325(a)(4)

The liquidation value of the estate is \$_83,480.00 . To obtain a discharge, the Debtor must pay the liquidation value or the total of allowed priority and nonpriority unsecured claims, whichever is less. Under 11 U.S.C. §§ 1325(a)(4) and 726(a)(5), interest on allowed unsecured claims under Section IV.D and IV.E shall be paid at the rate of __0.07 __% per annum from the petition date (no interest shall be paid if left blank).

X. Nonstandard Provisions:

All nonstandard provisions of this plan are set forth in this section and separately numbered. Any nonstandard provision placed elsewhere in this plan is void. Any modifications or omissions to the form plan not set forth in this section are void.

- 1. Any refunds to Debtor upon dismissal or discharge shall be distributed through Debtor's counsel
- 2. *Debtor will modify his mortgage or refinance his real property located at 17247 SE Petrovisky Road, Renton, WA 98058 within 15 months of confirmation of the plan to pay off his mortgage arrears. If his mortgage is not modified within that time, he will immediately modify his plan to pay the arrears in full.

[Local Bankruptcy Form 13-4, eff. 12/17]

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3. Debtor stipulates with creditor, Fay Servicing LLC, to Relief from the Automatic Stay if Debtor if does not modify his mortgage, refinance or otherwise pay off the mortgage arrears on his real property located at 17247 SE Petrivisky Road, Renton, WA 98058 pursuant to Section X paragraph 2. Creditor shall submit an Order terminating the stay for the Court to approve. No foreclosure sale shall occur before June 15, 2023. This section applies only to Fay Servicing and no other creditors.

By filing this plan, the attorney for the Debtor(s) or the Debtor(s) if not represented by an attorney certify that the wording and order of the provisions in this plan are identical to those contained in Local Bankruptcy Form 13-4, other than any nonstandard provisions included in Section X.

(Signature Page)

/s/ Mark Ditton	/s/ John Alan De Arman	August 30, 2021
Mark Ditton WSBA#45432	John Alan De Arman	Date
Attorney for Debtor(s)	DEBTOR	
August 30, 2021		
Date	DEBTOR	Date